

REMARKS

This paper responds to the Office Action mailed on June 11, 2007.

Claims 3, 5, 21, 26, 27, and 29 are amended. Claims 1, 2, 4, and 25 are canceled without disclaimer or prejudice. As a result, Claims 3, 5, 6-24, and 26-30 are now pending in this application.

§112 Rejection of the Claims

Claims 21-24 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Office Action indicates that claim 21 lacks clear antecedent basis for “the multiplexing network”.

Applicant respectfully traverses. Applicant believes that claims 21, as amended, includes clear antecedent basis. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 21 and its dependent claims 22-24.

§103 Rejection of the Claims

Claims 1-4 and 21-28 were rejected under 35 USC § 103(a) as being unpatentable over Kim et al. (U.S. 7,085,798, hereinafter referred to as Kim) and Guttag et al. (U.S. 5,805,913 hereinafter referred to as Guttag).

Applicant respectfully traverses.

Applicant does not admit that Kim and Guttag are prior art with respect to claims 1, 2, 4, and 25. However, to expedite prosecution, Applicant cancels claims 1, 2, 4, and 25 without disclaimer or prejudice. Thus, the rejection of claims 1, 2, 4, and 25 is now moot. Claim 3 is amended to be dependent from the allowable claim 5, and claims 26 and 27 are amended to be dependent from the allowable claim 29. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claims 3 and 26-28.

Independent claim 21 is amended to include the things similar to those of the allowed claim 7. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 21 and its dependent claims 22-24.

Allowable Subject Matter

Claims 7-20 were allowed. Applicant acknowledges the allowance of claims 7-20.

Claims 5, 6, 29, and 30 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In the previous Office Action mailed February 14, 2007, claims 5 and 29 were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In this response, claims 5 and 29 are rewritten to include the things originally recited in their base claim any intervening claims, as suggested by the Office Action mailed February 14, 2007. The rewriting of claims 5 and 29 does not introduce new matter and does not alter the scope of the originally presented claims 5 and 29. Accordingly, claims 5 and 29 and their dependent claims are now in condition for allowance.

RESERVATION OF RIGHTS

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6969 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SANU K. MATHEW ET AL.

By their Representatives,
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, Minnesota 55402
(612) 373-6969

Date

June 21, 2007

By



Viet V. Tong

Reg. No. 45,416

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 21st day of June 2007.

Name

Amy Moriarty

Signature

